IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.3439 OF 2006
IN
INCOME TAX APPEAL LODGING NO.1905 OF 2006

The Commissioner of Income Tax-3 ..Appellant.
Vs.
M/s. Bajaj Hirers & Lessors Ltd. ..Respondent.

Mr. P.S.Sahadevan for the Appellant.

CORAM : F.I. REBELLO & R.S. MOHITE, JJ.
DATED : 3RD DECEMBER,2007.

PC :

1. This is a Notice of Motion for condoning delay of 602 days in filing the aforesaid main appeal. On perusal of the affidavit in support of the Notice of motion, it is seen that after obtaining Chief CIT's approval for filing the appeal which was granted on 20.1.2005, the file was sent to the Advocate and ultimately to the panel counsel. The draft of the appeal was received from the panel counsel on 5.9.2006. In our opinion, the delay caused between 20.1.2005 and 5.9.2006 has not been properly explained. The cause shown is not sufficient cause. Hence, Notice of motion is dismissed.

(R.S. MOHITE, J.) **(F.I. REBELLO, J.)**

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX APPEAL LODGING NO.1905 OF 2006

The Commissioner of Income Tax-3. ..Appellant.
Vs.
M/s. Bajaj Hirers & Lessors Ltd. ..Respondent.

Mr.P.S. Sahadevan for the Appellant.

CORAM : F.I. REBELLO & R.S. MOHITE, JJ.
DATED : 3RD DECEMBER,2007.

PC :

1. As the Notice of Motion for condonation of delay has been dismissed, appeal also stands dismissed. Refund of court fee as per rules. Certified copy expedited.

(R.S. MOHITE, J.) **(F.I. REBELLO, J.)**